

I. KING JORDAN
PRESIDENT EMERITUS GALLAUDET UNIVERSITY
PRESIDENT.EMERITUS@GALLAUDET.EDU

I. KING JORDAN GROUP
DEAFNESS AND DISABILITY ADVOCACY
SUITE 700 1660 L STREET, NW
WASHINGTON, DC 20036

May 19, 2009

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: CG Docket No. 03-123

Dear Ms. Dortch:

I understand that if there is an active item on the docket when I meet with a Federal Communications Commissioner, I must file an Ex Parte statement. I am doing so here.

On May 18, 2009, I met with Acting Chairman Michael Copps to express my concern about the Federal Communications Commission's recent Notice of Proposed Rule Making in which is presented the notion of examining the recently agreed upon 3 year plan for setting VRS rates. Also present in the meeting were Acting Chairman Copps' Competition and Universal Service Legal Advisor - Scott M. Deutchman and Broadband, Wireline and Universal Service Legal Advisor - Jennifer Schneider.

I expressed to Acting Chairman Copps my very strong belief that the three-year rate plan led to product development and distribution; research and development; and interpreter training and professional development. NECA-allowed costs do not allow for the absolutely crucial investments that providers must make in order to continue to enhance VRS service and develop new products. This is the reason I met with Acting Chairman Copps and the reason I will continue to advocate for staying with the agreed upon three year plan to pay providers.

VRS is a life-changing technology on which I and many other deaf and hard-of-hearing individuals have come to rely. It is by far the most "functionally equivalent" form of TRS available today for those who communicate in American Sign Language, allowing us to communicate with a rapidity and nuance that is not possible with other forms of relay. VRS still has a long way to go before full functional equivalence is achieved, however. For example, VRS is not yet compatible with many hand-held devices. As I told

Marlene H. Dortch
May 19, 2009
Page 2 of 2

Acting Chairman Copps, I recently had to spend 90 minutes in an airport trying to find the person who was supposed to pick me up simply because I could not call the driver on my portable devices like hearing people can. Ultimately, I had to ask (and ask!) until I found a hearing person who was willing to make a call for me.

In its November 2007 Order, the Commission unanimously voted to foster the development of functional equivalence by adopting a three-year rate plan for VRS. The three-year plan ensures stable, fair, and predictable rates, thus allowing VRS providers to make long-term plans and investments that will benefit deaf users. There are more and better products than there were two years ago and there are more service providers. The three year plan has played a significant part in making both of those things happen. What's more, the wait time and the skill of interpreters are substantially better than in the past. As a regular user of VRS, I am very pleased with the progress and I do not want to see the rates cut in such a way that progress is slowed or stopped.

As a long time administrator and for 19 years a university president, I know that predictability and stability are key to the success of operating a business and investing in the future. The FCC's proposal to change from a stable, three-year plan is not a fair, open, and transparent way to support VRS and deaf users.

I believe that the Commission should not consider lowering VRS rates until functional equivalence is a reality.

Sincerely,

/s/

I. King Jordan